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MAR 25 2002

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/483,837	01/17/2000	Shubin D. Babin	70025-9902-11	8919

5179 7590 03/04/2002  
PEACOCK MYERS AND ADAMS P C  
P O BOX 26927  
ALBUQUERQUE, NM 871256927

EXAMINER

CELSA, BENNETT M

ART UNIT

PAPER NUMBER

1627

DATE MAILED: 03/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED  
Reply due 4.4.02

RECEIVED-50

MAR 8 - 2002

PEACOCK, MYERS & ADAMS



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
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Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/ 483, 837			

EXAMINER	
CELSA, BENNETT	
ART UNIT	PAPER NUMBER
1627	17

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

### Sequence Rule Letter: Non-Bonafide Attempt

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). See prior letter mailed 10/2/01 in paper no. 14. Applicant's submitted 1/24/02 failed to comply with the sequence rules for the reasons provided in the attached Raw Sequence Listing.

Applicant is given ONE MONTH from the mailing date of this communication within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a); however the extension may not extend beyond 6 months from 10/02/01 (e.g. the mailing date of the last sequence letter).

Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

#### General information regarding further correspondence

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Celsa whose telephone number is (703) 305-7556. The examiner can normally be reached on Monday-Friday from 7:30-5:00 pm (Eastern Time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jyothsna Venkat, can be reached at (703)308-2439. The FAX phone number for group 1600 is (703)308-4242. Any inquiry of a general nature or relating to the status of the application should be directed to the group receptionist whose telephone number is (703)308-0196.

Bennett Celsa  
January 4, 2001  
March 1 2002

BENNETT CELSA  
PRIMARY EXAMINER

012-118  
MAR 25 2002  
PATENT & TRADEMARK

Application No. 09/483,837

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821.
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☒ 7. Other: SEQ ID's for every sequence requiring compliance must be IN spec.

**Applicant must provide:**

- ☐ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
- ☐ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

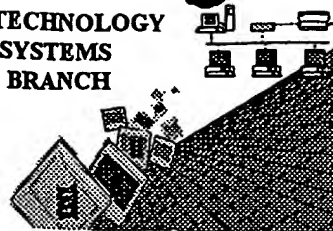
For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123  
For CRF submission help, call (703) 308-4212  
For PatentIn software help, call (703) 308-6856

Please return a copy of this notice with your response.



1627

BIOTECHNOLOGY  
SYSTEMS  
BRANCHRECEIVED  
FEB 26 2002  
TECH CENTER 1600/2900**RAW SEQUENCE LISTING  
ERROR REPORT**

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/483,837A  
Source: 1600  
Date Processed by STIC: 2/12/2002

RECEIVED #16  
MAR 29 2002  
TECH CENTER 1600/2900

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: [patin3help@uspto.gov](mailto:patin3help@uspto.gov) or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER  
VERSION 3.1 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND  
TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:  
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7<sup>th</sup> Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202  
Or  
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002

# Raw Sequence Listing Error Summary

RECEIVED  
FEB 26 2002  
TECH CENTER 1600/2900  
MAR 2 9 2002  
RECEIVED  
TECH CENTER 1600/2900

## ERROR DETECTED

## SUGGESTED CORRECTION

SERIAL NUMBER: 09/483,837A

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1 Wrapped Nucleics  
Wrapped Aminos  
The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."
- 2 Invalid Line Length  
The rules require that a line not exceed 72 characters in length. This includes white spaces.
- 3 Misaligned Amino Numbering  
The numbering under each 5<sup>th</sup> amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
- 4 Non-ASCII  
The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
- 5 Variable Length  
Sequence(s) \_\_\_\_\_ contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.
- 6 PatentIn 2.0 "bug"  
A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s) \_\_\_\_\_. Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
- 7 Skipped Sequences (OLD RULES)  
Sequence(s) \_\_\_\_\_ missing. If intentional, please insert the following lines for each skipped sequence:  
(i) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)  
(ii) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)  
(xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)  
This sequence is intentionally skipped  
Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
- 8 Skipped Sequences (NEW RULES)  
Sequence(s) \_\_\_\_\_ missing. If intentional, please insert the following lines for each skipped sequence.  
<210> sequence id number  
<400> sequence id number  
000  
Use of n's and/or Xaa's have been detected in the Sequence Listing.  
Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.  
In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.  
Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence
- 9 Use of n's or Xaa's (NEW RULES)
- 10 Invalid <213> Response  
Sequence(s) \_\_\_\_\_ missing the <220> "Feature" and associated numeric identifiers and responses.  
Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section.  
(See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)
- 11 Use of <220>  
Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
- 12 PatentIn 2.0 "bug"  
n can only be used to represent a single nucleotide in a nucleic acid sequence. N is not used to represent any value not specifically a nucleotide.
- 13 Minuse of n

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MAR 29 2002

TECH CENTER 1600/2900

1600

## RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/483,837A

DATE: 02/12/2002

TIME: 13:19:43

Input Set : A:\EP.txt

Output Set: N:\CRF3\02122002\I483837A.raw

Does Not Comply  
Corrected Diskette Needed

pp 1-3

and

3 <110> APPLICANT: Palatin Technologies, Inc.  
 4 Sharma, Shubh  
 6 <120> TITLE OF INVENTION: Metallopeptide and Metalloconstruct Combinatorial Libraries

7 Applications

9 <130> FILE REFERENCE: 70025-9902-11  
 11 <140> CURRENT APPLICATION NUMBER: US 09/483,837A  
 12 <141> CURRENT FILING DATE: 2000-01-17  
 14 <150> PRIOR APPLICATION NUMBER: US 08/660,697  
 15 <151> PRIOR FILING DATE: 1996-06-06  
 17 <150> PRIOR APPLICATION NUMBER: US 08/476,652  
 18 <151> PRIOR FILING DATE: 1995-06-07  
 20 <150> PRIOR APPLICATION NUMBER: US 09/464,358  
 21 <151> PRIOR FILING DATE: 1999-12-15  
 23 <160> NUMBER OF SEQ ID NOS: 10  
 25 <170> SOFTWARE: PatentIn version 3.0  
 27 <210> SEQ ID NO: 1  
 28 <211> LENGTH: 4  
 29 <212> TYPE: PRT

OK&gt; 30 &lt;213&gt; ORGANISM: Artificial

32 &lt;220&gt; FEATURE:

33 &lt;223&gt; OTHER INFORMATION: peptide

35 &lt;220&gt; FEATURE:

36 &lt;221&gt; NAME/KEY: MOD\_RES

37 &lt;222&gt; LOCATION: (4)..(4)

38 &lt;223&gt; OTHER INFORMATION: Xaa is bAla

OK&gt; 41 &lt;400&gt; SEQUENCE: 1

43 Arg Gly Cys Xaa

44 1

46 &lt;210&gt; SEQ ID NO: 2

47 &lt;211&gt; LENGTH: 4

48 &lt;212&gt; TYPE: PRT

C--&gt; 49 &lt;213&gt; ORGANISM: Artificial

51 &lt;220&gt; FEATURE:

52 &lt;223&gt; OTHER INFORMATION: peptide

54 &lt;220&gt; FEATURE:

55 &lt;221&gt; NAME/KEY: misc feature

56 &lt;223&gt; OTHER INFORMATION: Xaa is bAla

59 &lt;400&gt; SEQUENCE: 2

61 Gly Arg Cys Xaa

62 1

64 &lt;210&gt; SEQ ID NO: 3

65 &lt;211&gt; LENGTH: 4

66 &lt;212&gt; TYPE: PRT

insufficient explanation - see item 11 on

Error Summary

Sheet

same error

-&gt; &lt;222&gt; (4)..(4) &lt;- insert

## RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/483,837A

DATE: 02/12/2002

TIME: 13:19:43

Input Set : A:\EP.txt

Output Set: N:\CRF3\02122002\I483837A.raw

C--> 67 <213> ORGANISM: Artificial  
69 <220> FEATURE:  
70 <223> OTHER INFORMATION: peptide  
72 <400> SEQUENCE: 3  
74 Gly Gly Gly Cys  
75 1  
77 <210> SEQ ID NO: 4  
78 <211> LENGTH: 4  
79 <212> TYPE: PRT

C--> 80 <213> ORGANISM: Artificial  
82 <220> FEATURE:  
83 <223> OTHER INFORMATION: peptide  
85 <400> SEQUENCE: 4  
87 Gly Gly Gly Cys  
88 1  
90 <210> SEQ ID NO: 5  
91 <211> LENGTH: 6  
92 <212> TYPE: PRT

C--> 93 <213> ORGANISM: Artificial  
95 <220> FEATURE:  
96 <223> OTHER INFORMATION: peptide  
98 <400> SEQUENCE: 5  
100 Tyr Ile Gly Ser Cys Arg  
101 1 5  
103 <210> SEQ ID NO: 6  
104 <211> LENGTH: 6  
105 <212> TYPE: PRT

C--> 106 <213> ORGANISM: Artificial  
108 <220> FEATURE:  
109 <223> OTHER INFORMATION: synthetic peptide metallothionein sequence  
111 <400> SEQUENCE: 6  
113 Lys Cys Thr Cys Cys Ala  
114 1 5  
116 <210> SEQ ID NO: 7  
117 <211> LENGTH: 5  
118 <212> TYPE: PRT

C--> 119 <213> ORGANISM: Artificial  
121 <220> FEATURE:  
122 <223> OTHER INFORMATION: laminin sequence  
124 <400> SEQUENCE: 7  
126 Tyr Ile Gly Ser Arg  
127 1 5  
129 <210> SEQ ID NO: 8  
130 <211> LENGTH: 6  
131 <212> TYPE: PRT

C--> 132 <213> ORGANISM: Artificial  
134 <220> FEATURE:  
135 <223> OTHER INFORMATION: laminin sequence  
137 <400> SEQUENCE: 8

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/483,837A

DATE: 02/12/2002

TIME: 13:19:43

Input Set : A:\EP.txt

Output Set: N:\CRF3\02122002\I483837A.raw

139 Gly Tyr Ile Gly Ser Arg

140 1 5

142 <210> SEQ ID NO: 9

143 <211> LENGTH: 4

144 <212> TYPE: PRT

C--> 145 <213> ORGANISM: Artificial

147 <220> FEATURE:

148 <223> OTHER INFORMATION: peptide

150 <400> SEQUENCE: 9

152 Phe Gly Cys Arg

153 1

155 <210> SEQ ID NO: 10

156 <211> LENGTH: 4

157 <212> TYPE: PRT

C--> 158 <213> ORGANISM: Artificial

160 <220> FEATURE:

161 <223> OTHER INFORMATION: peptide

163 <400> SEQUENCE: 10

165 Gly Gly Gly Gly

166 1

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TECH CENTER 1600/2900



VERIFICATION SUMMARY

PATENT APPLICATION: US/09/483,837A

DATE: 02/12/2002

TIME: 13:19:44

Input Set : A:\EP.txt

Output Set: N:\CRF3\02122002\I483837A.raw

L:30 M:220 C: Keyword misspelled or invalid format, <213> ORGANISM for SEQ ID#:1  
 L:43 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:1  
 L:49 M:220 C: Keyword misspelled or invalid format, <213> ORGANISM for SEQ ID#:2  
 L:61 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:2  
 L:61 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:2  
 L:67 M:220 C: Keyword misspelled or invalid format, <213> ORGANISM for SEQ ID#:3  
 L:80 M:220 C: Keyword misspelled or invalid format, <213> ORGANISM for SEQ ID#:4  
 L:93 M:220 C: Keyword misspelled or invalid format, <213> ORGANISM for SEQ ID#:5  
 L:106 M:220 C: Keyword misspelled or invalid format, <213> ORGANISM for SEQ ID#:6  
 L:119 M:220 C: Keyword misspelled or invalid format, <213> ORGANISM for SEQ ID#:7  
 L:132 M:220 C: Keyword misspelled or invalid format, <213> ORGANISM for SEQ ID#:8  
 L:145 M:220 C: Keyword misspelled or invalid format, <213> ORGANISM for SEQ ID#:9  
 L:158 M:220 C: Keyword misspelled or invalid format, <213> ORGANISM for SEQ ID#:10